

# **Senate File 391 - Introduced**

SENATE FILE 391

BY COMMITTEE ON TRANSPORTATION

(SUCCESSOR TO SSB 1041)

## **A BILL FOR**

1 An Act relating to the use of electronic communication devices  
2 while driving as a primary offense.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 321.276, subsection 5, Code 2015, is  
2 amended by striking the subsection.

3	EXPLANATION
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4           The inclusion of this explanation does not constitute agreement with  
5           the explanation's substance by the members of the general assembly.

6        This bill eliminates a provision prohibiting a peace officer  
7 from stopping or detaining a person solely for a violation of  
8 Code section 321.276, which relates to texting while driving.

9       The scheduled fine for a violation of Code section 321.276  
10 remains \$30. Under current law, the offense is not a moving  
11 violation, and therefore cannot be considered for purposes of  
12 administrative suspension of a driver's license or to establish  
13 habitual offender status. However, if the violation causes a  
14 serious injury, a court could impose an additional fine of \$500  
15 or suspend the person's driver's license for not more than 90  
16 days, or both. If the violation causes a death, a court could  
17 impose an additional fine of \$1,000 or suspend the person's  
18 driver's license for not more than 180 days, or both.